

FISCAL IMPACT STATEMENT ON BILL NO. **S.791**

(Doc. No. 22116htc05.doc)

TO:	The Honorable Glenn McConnell, Chairman, Senate Judiciary Committee		
FROM:	Office of State Budget, Budget and Control Board		
ANALYSTS:	Harry Bell, Allan Kincaid, Rodney Grizzle		
DATE:	May 13, 2005	SBD:	2005460

AUTHOR:	Senator Grooms	PRIMARY CODE CITE:	17-3-75
SUBJECT:	Public Defender Employees Deemed County Employees		

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:
\$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:
See Below

BILL SUMMARY:

Senate Bill 791 would provide that upon approval of the county board of directors of the county defender corporation and upon acceptance by the governing body of the county, employees of the office of public defender are deemed county employees. The Office of Public Defender would be an agency of county government.

EXPLANATION OF IMPACT:

Since the Bill provides that the public defender and employees in the office of the public defender may become county employees after certain approvals, there will be no cost to the General Fund of the State. However, it is assumed such individuals would be eligible for participation in the State's health and dental plan, retirement system and coverage by the Insurance Reserve Fund (IRF).

LOCAL GOVERNMENT IMPACT:

The Bill does not specify if the public defender and his or her employees are to be paid a salary by the county upon becoming county employees. Each of the three local governments responding assumed these individuals would receive compensation and estimated annual costs that ranged from \$70,000 to \$429,000. Non-recurring costs ranged from \$5,000 and \$10,000.

If the intent of the Bill is to provide for participation in the state's health and dental plan, retirement system and coverage by the IRF only, the fringe benefits cost to the counties can be estimated at \$14,660 per individual (based on an annual salary of \$50,000) excluding premiums paid to the IRF. Not all counties participate in, or are covered by, these plans. The IRF insures nineteen counties. Premiums paid by the county to the IRF would depend on the liability limit of the coverage.

Approved by:



Don Addy
Assistant Director, Office of State Budget